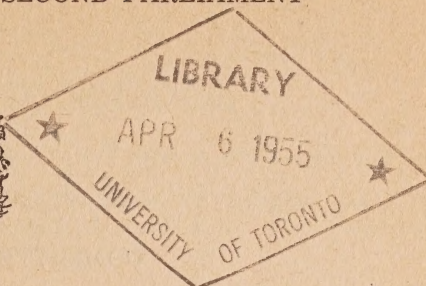


SECOND SESSION—TWENTY-SECOND PARLIAMENT

1955



Joint Committee of the Senate and the House of Commons

ON

CAPITAL AND CORPORAL PUNISHMENT AND LOTTERIES

Joint Chairmen:—The Honourable Senator Salter A. Hayden
and
Mr. Don F. Brown, M.P.

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 10

TUESDAY, MARCH 22, 1955

WITNESS:

Major General R. B. Gibson, Commissioner of Penitentiaries

Appendix:

Table A: Number of persons (1943-1954) sentenced to penitentiaries who, in addition, were awarded Corporal Punishment

Table B: Particulars of the Corporal Punishment awarded by the Courts to those sentenced to Penitentiaries (1943-1954)

Table C: Corporal Punishment awarded in Penitentiaries for Prison Offences (1932-1933 to 1952-1954)

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OTTAWA, 1955.

COMMITTEE MEMBERSHIP

For the Senate (10)

Hon. Walter M. Aseltine	Hon. Nancy Hodges
Hon. John W. de B. Farris	Hon. John A. McDonald
Hon. Muriel McQueen Fergusson	Hon. Arthur W. Roebuck
Hon. Salter A. Hayden	Hon. L. D. Tremblay
(<i>Joint Chairman</i>)	Hon. Clarence Joseph Veniot
	Hon. Thomas Vien

For the House of Commons (17)

Miss Sybil Bennett	Mr. R. W. Mitchell
Mr. Maurice Boisvert	Mr. G. W. Montgomery
Mr. J. E. Brown	Mr. H. J. Murphy
Mr. Don. F. Brown (<i>Joint Chairman</i>)	Mrs. Ann Shipley
Mr. A. J. P. Cameron	Mr. Ross Thatcher
Mr. F. T. Fairey	Mr. R. Thomas
Hon. Stuart S. Garson	Mr. Philippe Valois
Mr. Yves Leduc	Mr. H. E. Winch
Mr. A. R. Lusby	

A. Small,
Clerk of the Committee.

ORDERS OF REFERENCE

TUESDAY, March 22, 1955.

Ordered, That the name of Mr. Thomas be substituted for that of Mr. Johnston (*Bow River*) on the said Committee.

Attest.

LEON J. RAYMOND,
Clerk of the House.

MINUTES OF PROCEEDINGS

TUESDAY, March 22, 1955.

The Joint Committee of the Senate and the House of Commons on Capital and Corporal Punishment and Lotteries met at 11.00 a.m. The Honourable Senator Hayden, Joint Chairman, presided.

Present:

The Senate: The Honourable Senators: Aseltine, Farris, Fergusson, Hayden, Hodges, McDonald, and Tremblay—(7).

The House of Commons: Messrs. Boisvert, Brown (*Brantford*), Brown (*Essex West*), Cameron (*High Park*), Fairey, Garson, Leduc (*Verdun*), Mitchell (*London*), Montgomery, Shipley (*Mrs.*), Thatcher, Valois, and Winch—(13).

In attendance: Major General R. B. Gibson, Commissioner of Penitentiaries; Mr. D. G. Blair, Counsel to the Committee.

Major General Gibson was called, made his presentations respecting capital and corporal punishment, and was questioned thereon.

During the course of the questioning period, it was agreed that the witness would submit supplementary information bringing up-to-date the statistical tables A. B. and C. on corporal punishment included in Appendix B of last year's proceedings (No. 18) dated June 15, 1954. (*See Appendix*).

The presiding chairman expressed the Committee's appreciation to the witness for his presentations.

The witness retired.

At 12.30 p.m., the Committee adjourned to meet again as scheduled.

A. Small,
Clerk of the Committee.

EVIDENCE

MARCH 22, 1955.
11.00

The PRESIDING CHAIRMAN (HON. MR. HAYDEN): I call the meeting to order. Today we have as our witness Major General R. B. Gibson, Commissioner of Penitentiaries, and he is going to speak to us on capital and corporal punishment. Before I call him, I might draw to your attention the radio program "Citizens Forum", this coming Thursday, I believe, at 7.45. The subject is going to be "Capital and Corporal Punishment" and the panel will be made up of Mr. W. B. Common of the Attorney General's department of Ontario, who has been a witness before us; Mr. W. T. McGrath of the Canadian Welfare Council; and a local lawyer, Mr. Hyman Soloway; Acting police chief Robert Byford of Westmount; and Bob McKeoun is the chairman.

In case members of the committee feel that they have not heard everything on the subject of capital and corporal punishment after they have heard our witness this morning, and if they want to get a refresher course, I would recommend to them to listen on Thursday evening to the C.B.C. program at 7.45.

Hon. MEMBER: Television?

The PRESIDING CHAIRMAN: This is radio. Now, I will call upon Major General Gibson.

Major General R. B. Gibson, Commissioner of Penitentiaries, Called:

The WITNESS: May I say that I appreciate the opportunity of assisting your committee in your deliberations and I hope that I may be able to answer such questions as you may see fit to put to me.

Dealing first with capital punishment, I do not consider that I can add very much to what you have already heard because, of course, executions do not take place in the penitentiaries nor do we have custody of those who have been convicted of capital offences while awaiting execution. Consequently I have no background of personal experience in such cases that would qualify me to express an opinion as to whether or not capital punishment should be abolished.

There is, however, one aspect of this subject that affects the administration of the penitentiaries, to which I consider some reference should be made. It has been proposed that the penalty for murder should be reduced from death to life imprisonment. In that event persons convicted of murder would be sentenced to the penitentiaries to serve their life sentences and having already received a life sentence there would be no further deterrent that could be imposed to prevent their killing penitentiary officers or other inmates in the prison. I suggest that the committee should give serious consideration to this factor and if it should be decided to abolish the death sentence for a first conviction for murder, some thought should be given to retaining it for a person serving a life sentence who commits murder in a prison.

Now with regard to corporal punishment you have already heard a great deal of evidence and other material which it would be inappropriate for me to repeat. Warden Allan has demonstrated to you the instruments used to inflict corporal punishment in the penitentiaries and has described the procedure which is followed when such punishment has to be carried out. The

penitentiary regulations governing the infliction of corporal punishment awarded by the courts, and the procedure followed, are set forth in the answer to the questionnaire which appears as appendix B to volume 18 of the proceedings of the 1954 committee under date of June 15th 1954. Table A of that appendix sets forth the number of persons sentenced to penitentiaries from 1943 to 1953 who in addition were awarded corporal punishment by the courts and shows also the number sentenced under each section of the statutes which provide for corporal punishment. Table B shows the number of whippings administered, the maximum and minimum number of strokes, the number of first offenders, and the cases in which the sentence was not carried out. Table C shows the number of awards of corporal punishment administered for prison offences in the penitentiaries between the years 1932 and 1953. In the answer to question 20 of appendix B we have set forth the number of young offenders under 21 who were awarded corporal punishment by the courts between 1943 and 1953 and have given statistics as to the number of these who have been subsequently convicted of a criminal offence after release, and of those who have not. We have given similar information with regard to those who were awarded such punishment by the courts as recidivists, that is, who had a prior criminal record before being awarded corporal punishment. We have also given similar information with regard to sex offenders who were awarded corporal punishment during the period in question. You will be able to draw your own conclusions from these statistics. I do not think it will be necessary for me to repeat those statistics.

In the answer to question 1 of part B of the questionnaire at page 785 of the proceedings we have set forth the penitentiary regulations that deal with the award of corporal punishment as a disciplinary measure within the penitentiary, the offences for which it may be inflicted and the procedure which must be followed before it can be inflicted.

The infliction of corporal punishment is a most distasteful task for all who are responsible for it, both those who have the responsibility of deciding whether it should be authorized, and those who have the duty of carrying it out. Happily, in recent years its award by the courts and its use as a disciplinary measure in the penitentiaries has been decreasing.

My own view, and I am expressing only my personal feelings in the matter, is that corporal punishment should not be awarded as part of the sentence of the court. The court has the opportunity of awarding a sentence of more or less imprisonment when a person has been convicted, and in my view the fear of imprisonment for a lengthy period is a sufficient deterrent for those who contemplate the commission of crime without adding to it the fear of corporal punishment—I do not consider that an award of corporal punishment as part of the sentence is a really effective method of preventing the commission of criminal offences because when such an award is made as part of the sentence a considerable period of time must elapse before the penalty can be inflicted. There must be time for an appeal, and whether there is an appeal or not, the time allowed for such appeal must elapse before the punishment can be inflicted. There is therefore a considerable period before the penalty is carried out, and it cannot be directly related to the offence. Corporal punishment, to be effective as a deterrent, must follow closely after the commission of the offence for which it is inflicted. A person convicted by the courts comes to prison to serve a sentence of imprisonment, and it is the objective of the prison authorities, under present day procedures to make that sentence as purposeful as possible towards the prisoner's reformation and rehabilitation upon his release. The loss of liberty involved in imprisonment is in itself a severe penalty for the offence for which he is

being punished. Accepting that imprisonment as the punishment for his crime, and in most cases the prisoner realizes that it is the penalty he has to pay for breaking the law, it is the objective of the prison authorities to assist the prisoner to prepare himself for release by encouraging him to take advantage of the facilities available for education, trade training, better work habits, recreation, religious instruction and all the other constructive activities that can help him to adjust himself to the requirements of society.

If in addition to the sentence of imprisonment which involves loss of liberty and separation from his family and home ties, corporal punishment as part of his sentence has to be inflicted by the persons who are seeking to help him to readjust himself and his thinking to prepare for his release, it is evident that it will be difficult to convince him that these efforts are sincere.

However, the situation is different with regard to serious offences committed within the prison. Every prisoner is informed upon admission of the conduct required of him while serving his sentence. He is informed of the rules and regulations which he is required to observe if he wishes to profit by his period of imprisonment and if he wishes to earn the privileges that are available to him through good conduct. He knows that these rules must be complied with. If he repeatedly breaks these rules, and defies the discipline required of him, and if he violently assaults the officers of the institution or other inmates, or engages in mutinous and destructive behaviour which cannot be controlled by any other means, then it is apparent that some prompt and immediate method of bringing his behaviour under control must be adopted. If he is serving a long sentence, the forfeiture of "good time" or even the imposition of an additional sentence by an outside Court has little immediate effect. It is too remote in its results. The penitentiary authorities have a very serious responsibility for protecting the lives and safety of their employees, and of other inmates from assaultive attacks by vicious prisoners and also of protecting government property from destruction and serious damage. If all other means of restraint have failed to be effective, and an individual persists in defiant or assaultive behaviour, then I submit that it is proper that punishment should be awarded that will bring home to him in a physical sense that such conduct cannot be tolerated. It is in that sense, and in that sense only, that I feel that corporal punishment for serious prison offences should continue to be authorized. To emphasize the deterrent purpose of corporal punishment it is the practice, when awarded, to authorize so many strokes to be administered, and so many to be suspended pending future good behaviour, and in some cases to suspend any administration of the punishment pending future good behaviour. It is strictly used as a deterrent. Nevertheless, it has a punitive effect as well.

I would conclude by quoting the conclusions of the departmental committee on corporal punishment in the United Kingdom—which considered this matter in 1938—it is generally known as the report of the Cadogan committee—with which I am in agreement:

We are thus satisfied that the fear of corporal punishment does exercise a strong deterrent influence in restraining violent prisoners who would otherwise commit serious assaults on prison officers; that no other penalty would operate as an equal, or sufficient, deterrent; and that, as it is imposed for prison offences, corporal punishment is not open to the main objections which can be urged against it as a penalty imposed by the courts for offences against the criminal law. We are impressed by the unanimity with which the witnesses who have had practical experience of prison administration have stressed the necessity of retaining the power to impose corporal punishment for serious assaults on prison officers; and we have come to the conclusion that the time has not yet come when this power could safely be abandoned. We

consider that it should be held in reserve as the ultimate sanction by which to enforce prison discipline; but we think that it should continue to be used very sparingly and we hope that in course of time, as the character of the prison population improves and there is less need for purely repressive measures, it will be found possible to dispense altogether with the use of this form of punishment.

I should also like to bring to your attention the conclusions of the Archambault Commission on this point which appear at page 61 of its Report as follows:

Having in mind that there are in the Canadian penitentiaries a large number of vicious and incorrigible criminals, your Commissioners are of the opinion that, in the interests of the maintenance of discipline, it is advisable to retain the right to administer corporal punishment, but that the English policy should be put into effect in Canada so that corporal punishment may only be inflicted, with the authorization of the Prison Commission, for mutiny, or incitement to mutiny, and gross personal violence to any officer or servant of the prison.

At the present time our penitentiaries are filled almost to capacity—we have little spare accommodation and in some institutions overcrowded conditions exist as the result of the upswing in committals during the past few months. While these conditions exist, and until new institutions can be constructed and put into operation that will permit better methods of classification and segregation of inmates, I would be most reluctant to see the wardens restricted in the present methods of dealing with violent and assaultive prisoners who may cause serious or fatal injuries to staff members or other inmates or by mutinous behaviour provoke disturbances that would result in very serious property damage.

The PRESIDING CHAIRMAN: Thank you, General Gibson. We shall follow our usual practice with regard to questions. Senator McDonald, have you anything you wish to ask the witness?

Hon. Mr. McDONALD: I have no questions to ask at the moment, but I would like to thank General Gibson for the excellent submission he has just made to the committee.

By Mr. Brown (Brantford):

Q. General Gibson, what would be your views with respect to retaining or abolishing corporal punishment in provincial jails? I think you were talking about penitentiaries.—A. I was speaking of penitentiaries. I suppose the same principles would apply to provincial jails. I am not too familiar with the conditions in the provincial jails, so I would not like to express too definite an opinion, but I assume they would need some method of dealing with violent people.

Q. What sort of control would you suggest? Would it be left to the prison authorities?—A. In the penitentiaries before corporal punishment can be inflicted, as the regulations point out, there must be a hearing, evidence taken down in writing, a recommendation made to the commissioner of penitentiaries and approved, and only after that procedure has taken place can the punishment be inflicted. I am not sure what sort of provisions could be set up in the provinces along these lines, but I assume something of that kind could be worked out.

Mr. BOISVERT: I have only one question, General. Are you of the opinion that the death penalty has a deterrent effect on society?

The WITNESS: I am rather like Mr. Edmison—I am loathe to express an opinion one way or another because I have not studied this question too much and the thought I have given to it causes me to fluctuate in my opinion.

By Mr. Leduc (Verdun):

Q. In a case of murder, if the judge had the privilege of recommending clemency, what would be your comment that is, if the judge had discretionary power to impose life imprisonment instead of the death penalty?—A. I think my feeling on that is that under the present procedure, whereby the sentence is reviewed by the court of appeal and the Minister of Justice and the Cabinet, there is ample opportunity for dealing one way or the other with recommendations for clemency, and I rather feel it would be putting a somewhat unnecessary burden on a judge to have him decide that.

By Mr. Mitchell (London):

Q. I have two questions to ask, both dealing with corporal punishment. The commissioner has indicated that the preventive value of corporal punishment for disciplinary purposes is because of its immediate effect. Does he consider that solitary confinements and reduction in rations will not produce the necessary immediate effect?—A. It does in a great many cases, and of course we use it in a great many cases. It is only in very extreme cases that we consider using corporal punishment, and I still feel that there are cases where the other discipline you suggest would not be completely effective.

Q. Do you consider that corporal punishment is a last resort, and that in fact it has only been used as a last resort in the last few years? And one other question. You advocate the abolition of corporal punishment as part of the sentence of a court. Are there any circumstances in which you would consider that corporal punishment might be used in place of a sentence of imprisonment?—A. Well, that is rather a difficult question to answer. You are asking me if there are any circumstances.

Q. Perhaps I might be a little bit more specific on that question. The question of birching was raised in the earlier sittings of this committee and I have in mind certain hoodlums—for example, a case comes to mind of what happened in Montreal last Saturday night. Is there any merit to the suggestion that hooliganism like that might be curbed more efficiently by the use of a birch rod than by some term of imprisonment?—A. I think there might be some force in that argument. On the other hand, the sentence of corporal punishment dealt out by the court has been abolished in so many countries it might perhaps be proper that Canada should follow that line. There might be cases where it would have a salutary effect, I am not sure.

By Mr. Winch:

Q. Mr. Chairman, I have three questions. I would like to ask, General Gibson, am I correct in the presumption that your own personal position is that except as the last instrument in the event that an inmate makes a physical assault on a guard or servant of the Crown in a penitentiary, being the leader in or inciting to a riot or destruction of government property that all other corporal punishment should be abolished?—A. Yes, I think I would include assaults on other inmates, violence on other inmates. I think I mention that in my list.

Q. The next question, Mr. Chairman, is in the case of men who have a criminal record and have shown themselves over the years to be incorrigible and for disciplinary purposes—

The PRESIDING CHAIRMAN: Mr. Winch, there seems to be a corollary to that as to whether you would justify it on the ground of strictly punitive in those circumstances. I just wondered whether you should get the witness' reaction on that.

The WITNESS: Well, we have found there have been one or two cases where over the past years an inmate has undergone a considerable amount of corporal

punishment. But my feeling is that where that has been done and it has been found that it has not had any salutary effect there is no point in giving him further corporal punishment. The proper thing to do with him is segregate him and keep him out of circulation.

By Mr. Winch:

Q. In other words, then, General Gibson, you are opposed to the use of corporal punishment strictly for a punitive purpose?—A. Strictly for punitive purposes. I do not think you can separate the punitive and deterrent.

Q. Supposing you have a man like you have in Canada and one who over his lifetime of crime has received corporal punishment 185 times, what other purpose could you have in inflicting corporal punishment except as a punitive measure in that case?—A. I don't think there is any purpose in inflicting corporal punishment on a man of that kind. It won't do any good.

Q. My third question is on capital punishment. You, of course, expressed a doubt about the abolition of capital punishment because of a possible danger that a person who has committed a murder and got life imprisonment and knowing that he cannot be executed that he could then feel free if he were so impelled to commit a murder inside the penitentiary. I would like to ask, General Gibson, whether or not in your opinion the inmate who was serving life imprisonment might not be governed to a great extent by the fact that as I understand the law and the regulations in Canada a person who is sentenced to life imprisonment, it does not mean until death but after twelve years his case is reviewed and if in the view of the remission branch this person has been of good behaviour and can be rehabilitated they can let him out. We learned by the figures that were filed last year that a number who were sentenced to life imprisonment have been discharged and so far we have no record of any of them coming back in again.

Now, to put it straightly, do you not think that a person who has been sentenced to life imprisonment will be very loath to have any concern which may mean an additional charge of murder and therefore to keep him in there very definitely until death whereas if he behaves himself and tries to rehabilitate himself that he stands a good chance of being released after a number of years?—A. Of course, the answer to that, I think, is that while you have quoted certain cases whose sentences have been commuted and who have served terms of life imprisonment and been released after a certain number of years, you must remember that those are cases where the sentence was commuted and they presumably are not the worst type of murderers, most of whom are executed.

Now, if the ultimate penalty was life imprisonment, we would get in the penitentiaries not the cases whom the Governor in Council thought fit to commute, but we would get all cases of murder and I would certainly not feel too satisfied that the possibility of being detained in the penitentiary a further time would be a sufficient deterrent to prevent people of that type committing another murder.

Q. Have you any information, General Gibson, on those countries where they do not have capital punishment, as to whether or not the criminals in those countries being sentenced to life commit murder in the jails in those countries?—A. No, I am afraid I have not.

By Mr. Thatcher:

Q. I wonder if General Gibson could tell the committee exactly how many times corporal punishment was used in our Canadian penitentiaries last year?—A. Those figures are, of course, in the table which you have before you up to 1952 and to bring that up to date I have the figures for the last fiscal year. I think the total number in 1952-53 was 23, and last year it was 26.

Q. That is all across Canada?—A. Across Canada, that is awarded for prison offences. Those are interesting numbers. I might point out, that the figures for corporal punishment awarded by the courts during 1954 who came to the penitentiaries and had the punishment inflicted dropped to only five, which is quite a substantial drop from any of the previous years.

Q. You mentioned also that because of overcrowding at the penitentiaries your situation was becoming more difficult. I suppose that is partly because our population is going up. Are there any steps being taken at the moment to enlarge accommodation at the penitentiaries?—A. Yes, there have been steps taken over the last six or seven years. We have enlarged our accommodation considerably. We have opened a new institution in the province of Quebec, as you know, but the committals during the last six months, from October up to the present time, came to 400, which is very much greater than any previous period.

Now, the reason for that I am not aware of. It may be increasing population, increasing crime and it may be that the courts are sending more people to the penitentiaries who could otherwise perhaps have gone to the provincial institutions.

Q. Just one further question on capital punishment. Do you find that murderers who are sentenced to life imprisonment in the penitentiaries are any more difficult to care for than ordinary prisoners? Do they seem to be more intelligent or less intelligent; are they susceptible to punishment to a greater or less extent than your ordinary prisoners?—A. I think that the majority of those who come to us after being convicted of murder and having had their sentence commuted to life imprisonment are amenable to discipline and are not very much trouble in the institution. They get along quite well. They settle down after a certain period. They realize they have a long time to serve and generally speaking they are very good prisoners. There are a few exceptions but not very many of them.

Q. In a general way would it be a fair statement to say that they seem to be more intelligent types than your ordinary prisoners?—A. No, I would say, speaking generally—it is difficult to generalize, but I would say that probably the majority of people who come to us with commuted sentences—I should not say the majority, are border line, but they are not normally of too high an intelligence. Some of them are very close to border line and in some cases after they have served some portion of their term they become psychotic and are transferred to a mental hospital.

By Mr. Fairey:

Q. General Gibson, just two questions respecting capital punishment. In the event of capital punishment being retained as a penalty for murder would you be in favour of it being carried out in some central place rather than in the provincial institutions? That is, it would have to be carried out in the penitentiaries?—A. I would be very much opposed to having it carried out in the penitentiaries because of the psychological effect it would have on the long-term prisoners we have there.

Q. Just one other question on corporal punishment. I think the committee has been exercised a little about the possibility of a lack of uniformity in the method of administering corporal punishment, particularly in provincial institutions. I take it you feel it would be possible to formulate satisfactory regulations to ensure uniformity not only of the administration but of the sentences by the prison officials?—A. I would think so. I would think as far as the penitentiaries are concerned our methods are pretty uniform. I do not think there is any variation in them. The instruments are the same at each institution and in my discussions with the wardens I feel that the methods used are pretty uniform throughout all our institutions.

The PRESIDING CHAIRMAN: Except the wielder is different?

The WITNESS: Yes, that is a fact, of course, that you cannot control at all times.

By Mr. Montgomery:

Q. Most of the questions that came to my mind have been answered. There is one following up Mr. Mitchell's question, General Gibson. He asked your opinion on what you thought the effect of birching would have in lieu of imprisonment. Who would carry that out in your opinion? If a person is not sentenced to the penitentiary, who would carry that punishment out?—A. Well, assuming he is not sentenced to a term of imprisonment in any institution, it would have to be carried out by the police authorities, I assume—I don't know.

By Mrs. Shipley:

Q. I have one or two questions. The records of the penitentiaries seem very, very good in respect of corporal punishment—8, 7, 23 and 26, respectively, in the last four years. What I am interested in is in the examination of the evidence sent you before the sentence of corporal punishment is carried out. What precautions are taken to be certain that the guard who was the one attacked was not himself to some degree or a great degree responsible for the reaction of the prisoner? I am interested in knowing how that is followed up, if you would not mind telling us.—A. Well, before any decision is made at all, of course, there is a hearing at which the evidence of the officer or officers who saw what took place is heard.

Q. Is that just before the warden?—A. Yes, and that is taken down in writing and then the prisoner is given an opportunity of telling his side of the story.

Q. And to call witnesses?—A. To call witnesses if there are witnesses as to the actual facts, but not character witnesses.

Q. In my understanding then, the warden sends that evidence to you?—A. I might explain then. The warden having that evidence before him in writing considers the matter, goes over it quite carefully, submits it to me, usually with quite a lengthy letter expressing his view of it and his recommendations. That comes to my office and I go over it myself and get the man's file and usually the officer's file, look over the information which is available there, usually discuss it with my colleagues and then a decision is made one way or the other whether the punishment recommended will be approved, whether it will be reduced, or whether something else will be substituted. That is generally the procedure followed.

By Mr. Thatcher:

Q. Do you personally check over them all yourself?—A. Yes.

By Mrs. Shipley:

Q. And so you get the officer's file and I assume, if he had been a person who had been attacked on more than one or two occasions, you might think there would be something the matter with him?—A. I think we would be a little suspicious.

Q. And you would cause an investigation, would you?—A. Yes.

Q. One other question. I am not positive, but I think there is a different law with respect to corporal punishment administered in the prisons in the British Isles, that they have an independent board to hear the evidence rather than prison officials headed by a warden. Do you know if that is true?—A. I think that is correct. They have what they call a Board of Visitors.

Q. Do you think that might be a wise thing here for us if we are going to recommend the retention of corporal punishment in our prisons? Do you think we might take a further precaution by having a Board of Visitors or something similar?—A. I think that would depend to a great extent upon what the composition of the Board of Visitors was and who was available for that type of board. You must remember we have penitentiaries spread right across the country. Some of them are in rather remote places. It would be quite important if that were contemplated that the right sort of people would be appointed to it. My own view is that the present system is working quite satisfactorily.

Q. In view of the record it would seem it must be reasonably satisfactory? —. Yes.

By Hon. Mrs. Fergusson:

Q. Mr. Chairman, there are one or two questions that I have in mind. In table C, which General Gibson referred to in 1950 and 1951, there were only eight cases in which corporal punishment was awarded for prison offences, in 1951 and 1952 there were seven—that was a drop from the previous year. Then it went up to 23 in 1952 and 26 in 1953. I would like to ask you: those two years, when there was such a big drop, was that due to any different policy in the penitentiaries or did it just happen?—A. No, I think it just happened. Of course, you must remember that starting in 1952 there had been quite a bit of unrest in prisons across the country particularly in the United States, and that sort of unrest does get reflected to some extent because the inmates do read about it in the press and hear it on the radio. That is the only explanation I can give for a rise of that kind.

Q. It was not the rise I had in mind, but the drop. Why did it happen to drop so?—A. I think the drop might have been due to a change in policy about 1949 after which the infliction of corporal punishment was restricted quite considerably. I think that would account for the drop in the first two years you spoke of. And perhaps the rise in the last two years has been due to this unrest I have just mentioned.

By Hon. Mr. Aseltine:

Q. Can General Gibson tell us how many inmates are undergoing life imprisonment at the present time?—A. That is in my annual report, but I am afraid I have not got a copy in front of me.

Q. Can you tell us if any of these people have been whipped for infractions of discipline during the last year, or if they had been responsible for any riots or acts of insubordination?—A. I am trying to think. Not many of them. Most of the cases where corporal punishment has been inflicted have not been with lifers but with younger men who come in and are pretty obstreperous. It may be—I think there was one case of a man serving a life sentence at St. Vincent de Paul, who attacked another inmate quite seriously. He was given corporal punishment. That is the only case I can recall offhand.

The PRESIDING CHAIRMAN: Now, Mr. Valois.

By Mr. Valois:

Q. You expressed your views that you would recommend the death penalty in the case of lifers in prison in a case where they killed either a guard or an inmate. Let me ask you this question: according to the Criminal Code, a man with a record may be declared by the court to be incorrigible and then he can be sentenced to life. In the case of a chap like that, let us say he has to consider whether or not he will kill a policeman. He has to choose. If he kills the policeman, it will be the other way.

If he does not get away, and if the death penalty is taken away, he would be no worse off, because the most he would get would be a life sentence. Do you suggest that would be sufficient reason to keep the death penalty?—A. Your question is—I did not get your reference to the habitual criminal.

Q. If he is an habitual criminal, he knows that the next time he comes before the court he may be sentenced to life, if the death penalty is taken away.—A. He is not sentenced to life, but to an indeterminable term which is reviewed every three years by the Minister of Justice. That is not quite the same as a sentence to life imprisonment.

Your point is that if there was no death penalty there would not be sufficient deterrent for murder, or with respect to other people who commit crimes which would bring them under the Habitual Criminal Act. That is a matter of opinion. I would not like to have to answer it.

The PRESIDING CHAIRMAN: Now, Mr. Fairey.

By Mr. Fairey:

Q. May I interject to say that I think that point was brought out by the police officers, in the case of an escaped prisoner, a lifer, who was about to be arrested by a police officer. The criminal would have nothing to lose by shooting that police officer in his attempt to escape.—A. That is the point I mentioned in connection with murders in prison. It is the same point.

The PRESIDING CHAIRMAN: That would broaden the scope of your answer, because it would be murder outside the prison walls.

The WITNESS: Yes.

The PRESIDING CHAIRMAN: Now, Senator Farris.

By Hon. Mr. Farris:

Q. As I understand your answer, it does deter the law breaker?—A. We look at it that way.

Q. You must recognize this: does it not have that effect not only on the individual but upon his associates as well?—A. Very definitely.

Q. If that is so, then why would it not equally apply to comparable offences outside the penitentiary? And when I say comparable, I mean offences of a brutal nature.—A. I do not think it would have the same effect because in the penitentiary the prisoners are living in a very restricted atmosphere; they are close together and they know what goes on. If the man receives corporal punishment within the penitentiary, everybody else in the institution will know that he has had it and why he has it; whereas outside in the community, I do not think you get anything like the same comparison. People read the newspapers, of course.

Q. The gang would likely know about it.—A. Yes, probably his own associates would.

Q. And they are the ones you want to reach.—A. Yes. But one of the weaknesses in corporal punishment inflicted by the courts is the long time which necessarily has to elapse between the time it is awarded, and the time when the sentence is carried out. That is a weakness which does not exist when you can use it within an institution.

Q. Why not speed things up a bit?—A. Perhaps they should be.

The PRESIDING CHAIRMAN: Now, Senator Tremblay.

Hon. Mr. TREMBLAY: I have no questions.

The PRESIDING CHAIRMAN: Now, Mr. Cameron.

By Mr. Cameron (High Park):

Q. I came in late, Mr. Chairman, but I would like to ask General Gibson this question: how long is it between the act which results in the sentence of corporal punishment and the time when that sentence is inflicted upon the prisoner?—A. I would say on the average that it runs from seven to ten days, or possibly a little longer. Perhaps it might run a little shorter, depending on how far the penitentiary is away from Ottawa. It is dealt with very promptly.

Q. You say on the average from eight to ten days?—A. Possibly.

The PRESIDING CHAIRMAN: Now, Mr. Minister.

By Hon. Mr. Garson:

Q. A question has occurred to me, and I do not know if it is a fair one to ask General Gibson; but I have had the experience in connection with some cases wherein capital punishment has been commuted but where the prisoner himself was not anxious to have it commuted because he wanted to be executed.

In one particular case I recall a man who had killed his wife who was an incurable invalid. His life was very unhappy; and anyhow he expressed the view that he wanted to get it over with.

According to established principles, that was clearly a case where we should grant mercy. But I had a rather strong doubt as to whether we were being merciful.

What has your experience been? On the whole, the lifers whose sentences have been commuted, accommodate themselves to prison life, or, in other words, are we being merciful to these prisoners when we commute their death sentences. Are they not too unhappy in the penitentiary afterwards?—A. Well, I think it is fair to say that generally speaking they do settle down. I have talked with a number of them over the years. Some of them, of course, settle down and are more reasonable than others. I think a great deal depends on the man's mental capacity.

I can think of one or two cases. And I would say that whenever I go to a particular institution they always have the same complaints. They want to be moved, or they want this, that, or the other thing. While on the other hand, I can think of others who have settled down and devoted themselves to improving their education, and in some cases they have done quite remarkable work in that way. It depends a good deal on the individual.

The PRESIDING CHAIRMAN: Now, Mr. Brown.

By Mr. Brown (Essex West):

Q. You are the commissioner of penitentiaries, I believe, and that is a federal position.—A. Yes.

Q. And you have no jurisdiction over cases of capital punishment.—A. No.

Q. I am not too certain as to what your views might be with respect to capital punishment; but have you ever seen a person hanged?—A. No, I have not.

Q. And you have no such cases in your institution?—A. No.

Q. And you have no jurisdiction over them?—A. No.

Q. So that your views with respect to capital punishment would be purely personal views?—A. That is true.

Q. Now, with respect to corporal punishment you have stated that you are opposed to the awarding of the sentence of corporal punishment as a part of the court sentence?—A. I think I said that I felt that in view of the fact that imprisonment was available to deal with offences by the courts, that I did not see the necessity for having corporal punishment as a sentence of the court.

Q. You also stated that there has been an upturn in committals within the last few months. We have had evidence before this committee which would indicate that crime is not on the increase.

Hon. Mr. GARSON: Serious crimes.

Mr. BROWN (*Essex West*): No, crime generally.

Mr. BLAIR: Serious crimes; not traffic offences.

By Mr. Brown (Essex West):

Q. I mean apart from traffic offences; you do not have any cases of traffic offences, of persons convicted of traffic offences incarcerated in your prisons?—A. No, we do not get anybody unless he has been sentenced to two years or more.

Mr. WINCH: Except in the case of manslaughter arising from a traffic accident?

Mr. Brown (Essex West):

Q. That is another matter; and when I say evidence of serious offences, they have not been on the increase. Yet you have said that there have been more committals to your institutions. That would appear to be a conflict.—A. Oh, yes.

Q. Well there must be a conflict of evidence there.—A. Not necessarily, because it may be that the courts are giving longer sentences, or sentencing more people to the penitentiaries.

Q. Yes. Let us assume then that the courts are giving stiffer sentences; do you think that that would be of assistance in reforming the individual who is committed for those offences today, when apparently it was not considered to be a reformatory measure a few years ago?—A. I am afraid that I do not understand your question.

Q. A few years ago apparently there were not so many being committed. Yet today they are being committed. Do you think that is just because they feel that committing these persons to penitentiaries is a greater reformatory measure?—A. It may be that the deterrent effect of the longer sentence is more appreciated now.

Q. That is what I am coming to.—A. That may be the case; or it may be that the courts feel in some cases that by giving a young man a two years' sentence to an institution where there are certain facilities for his training, it is more to his benefit.

Q. Would you tell us what facilities are given for a prisoner who has been sentenced to a penitentiary for his training or reformation?—A. I have not come prepared to do that.

Q. But could you not just do it in a general way? Have the facilities been increasing over the past few years?—A. Oh, yes, they definitely have. We have set up full time vocational training at five of our institutions for selected inmates who appear to be the sort of people who would profit by that training. Then we have increased our educational facilities a great deal, and we have improved our shops. A good deal of information on that is, of course, available in the annual report of the Commissioner of Penitentiaries if the committee would be interested in referring to it.

Q. You are doing a great deal in giving the prisoner a training in vocations. But are there any other means or methods of reformation of the individual? Are there any, let us say, cultural, mental, or spiritual methods?—A. The program in the penitentiary is calculated to improve the individual in a number of different ways. We have chaplains, classification officers, and trade instructors; and our whole program is pointed as far as possible towards the end of giving opportunities to the individual to take advantage of the facilities available and to improve himself. But of course a great deal depends on the man himself.

The PRESIDING CHAIRMAN: Now, Mr. Fairey.

Mr. FAIREY: You also have correspondence courses in general education?

The WITNESS: That is correct, as well as Dale Carnegie courses in some institutions.

Mr. BROWN (*Essex West*): You mean "How to Win Friends and Influence People"?

Mr. WINCH: Yes, and it is working out very well, too.

By Mr. Brown (Essex West):

Q. You are taking all these steps. There is a larger number going into the institutions; and you say that it creates a crowded condition in the institutions. Have there been any ill effects from such overcrowding?—A. The effect of course is that you have facilities set up to deal with a certain number of people, let us say that it is 700 or 800; and if your prison population goes up, let us say, to 900 or 1,000, then the facilities available are going to be overtaxed. In other words, your classification officer is going to have a larger load than you planned for; your other people are going to have heavier loads to carry; and you are going to have more people in your shops than they were designed to accommodate.

That is the sort of thing which can happen, when the prison population goes up beyond the point you have planned for. Then you cannot do as good a job as you could have done for the people there.

Q. Are steps being taken to obtain more accommodation?—A. That is under consideration at the present time.

Q. Evidence was given to us by Professor Jaffary here that serious crimes are lessening. Do you think that would be the answer?—A. I can only give you the figures which would indicate that our population over the last few years has been rising rather steadily. We have been providing additional accommodation but as I said, in the last six months, since the first of October, our population has gone up across the country by 404, which is a larger increase than in any previous six months period. So we have to take steps to meet it.

Mr. WINCH: How many were discharged in that same period of time?

The WITNESS: These are not admissions; this is a net increase.

By Mr. Brown (Essex West):

Q. Do you know of any case in your institutions where a total of 185 applications of corporal punishment had been administered, as represented by Mr. Winch?—A. I do not recall that case, but I assume that Mr. Winch got his information from some source.

Mr. WINCH: Straight from the penitentiary and from going over the man's records. He did not get it all in the penitentiary, but over the period of his criminal life, from reformatory, to provincial jail, to penitentiary.

By Mr. Brown (Essex West):

Q. Do you think that the increase in our jail population today is a reflection of the unrest, arising in the United States and in Canada, since 1952, due to economic conditions?—A. I do not attribute the increase in the penitentiary population to difficulties in the United States. I said it might have had some influence on the conduct of prisoners in the institutions.

Q. I understand. I note that the increase in application of corporal punishment has taken a sharp turn in 1952-53; it jumped from 7 to 23. Do you think that is because of general unrest?—A. I think that may have been the case.

Mr. THATCHER: You will note the fact that the Canadian population has been going up very sharply too. Perhaps that might have an effect on it?

Hon. Mr. GARSON: The crime rate which Professor Jaffary put on the record showed the number of persons per one hundred thousand of population; so the population would be reflected in that table.

Mrs. SHIPLEY: On that point, he did not have the last six months in his statistics.

The PRESIDING CHAIRMAN: I do not know what you can take from the statistics because prior to 1951 you had substantially more sentences of corporal punishment; then you had a change in policy in 1949 which might have accounted for the reduction in 1951-52. I do not know how you can arrive at anything from the top figures. If you are going to assume anything, you would have to show that they were a lot worse earlier, and are slowly catching up again.

Hon. Mr. FARRIS: Many times magistrates will give a sentence to the penitentiary because they do not think that the jails are the proper place to send them.

Mr. BROWN (*Essex West*): You believe that if he goes to a penitentiary he will get certain training which will be beneficial to him during the period subsequent to his release, and that he not only gets a certain training in a trade but the advantage of taking part in certain cultural activities? Some people like to think that these penitentiaries are more like universities.

The PRESIDING CHAIRMAN: At least he is exposed to more of such influences in a penitentiary. Whether they "take" or not is another matter.

By Mr. Blair:

Q. Would you be able to bring up to date the statistical information submitted last year, giving the same particulars in each of the tables for the year 1954?—A. I think I have already given that in my evidence this morning.

Q. You gave some of the totals. There were, last year, breakdowns into various categories.—A. I can give you that information. (*See Appendix*)

Q. Last year, one of the questions you answered had to do with the breakdown of the effect of corporal punishment on young offenders, recidivists and sexual offenders. This question is recorded at 781 of last year's testimony. I believe that there was a gap in our questions, in that we did not ask for information of its effect on the ordinary offender—a man who was neither a young offender nor a sexual offender nor a recidivist, but an adult first offender, and I wonder if you have such information available?—A. I can check that, Mr. Blair. I am not sure whether we have it, but we may.

The PRESIDING CHAIRMAN: If an offender for the first time in a penitentiary gets a whipping either as part of the sentence or as discipline, if it did not have a sufficient deterrent effect he might be a recidivist and come into the information already given.

By Mr. Blair:

Q. The difference was that we asked for particulars about people who were recidivists at the time they received their sentences of corporal punishment.—A. Your point is that there is one group missing here—the adult first offender.

Q. Yes.—A. I will see whether we have that information available. We may have.

Q. This committee has been seeking throughout its sittings for statistical information which might have a bearing on the proof of the deterrent effect or other effect of corporal punishment. Are you in a position to offer any further statistics which might assist the committee in this regard?—A. I doubt whether we can provide that information without a search of individual files.

I do not think that we have that information in any form which could be obtained without putting somebody to work in searching individual files and then, of course, a number of people may have received corporal punishment in a penitentiary, and been convicted, and gone back to provincial institutions or jails, and of these people we would have no record at all.

Q. At page 785 of last year's testimony there is set forth penitentiary regulation No. 165 which indicates the offences for which an inmate may receive corporal punishment. Is it fair to say that, as a matter of policy, the infliction of corporal punishment is greatly restricted and that it is not awarded for all the offences outlined in section 165?—A. Yes. I think it is fair to say, as I mentioned a while ago, that in the last several years a number of offences which are set out in this regulation would not be considered as offences for which corporal punishment should be administered. It does not follow by any means that, even if an inmate has been found guilty of one of the offences here, he is automatically given corporal punishment. We give consideration to other means of dealing with him before the question of corporal punishment arises.

Q. One other question, General Gibson, in regard to the awards of corporal punishment for prison disciplinary offences in recent years: Have you a breakdown of the nature of such offences?—A. By individuals?

Q. Or by categories of offences?—A. No, I have not, Mr. Blair.

Q. I have nothing further to ask.

By Mr. Montgomery:

Q. I have in mind a case where a man is sentenced to prison for life, capital punishment having been abolished, and he commits another murder while in prison. I was wondering where such a man would be tried for that crime, and where the execution would take place?—A. He would be tried in the county town where the penitentiary is situated, and the execution would follow in the ordinary course. The last case of a murder at Kingston was some years ago. The man was tried in the city of Kingston and sentenced to be hanged there.

Q. Would the expense fall on the municipality?—A. It would be taken care of in the same way as other criminal trials are taken care of.

By Mr. Mitchell (London):

Q. I would like to follow up some questions which Mrs. Shipley was asking as to the degree of care exercised in the administration of corporal punishment, and if this is a fair question, to ask you how many cases have been referred to you with a recommendation that corporal punishment should be administered with regard to which you have decided either to suspend or to remit the punishment over the past two years?—A. I have not got those figures in front of me, but I can think of at least four, and possibly more; I would say three or four over and above the ones set out here, where I came to the conclusion that it was not a case where corporal punishment should be inflicted, and recommended the warden to give some other punishment.

Q. In the great majority of cases, you have agreed to the recommendation?—A. That is right—I think because the wardens are aware of what the policy is, and do not recommend corporal punishment unless they are reasonably sure it will be approved.

By Mrs. Shipley:

Q. Just one more. It has been said that our courts in different parts of the country will award corporal punishment for an offence whereas in another court the crime may be just as severe or even worse and no corporal punishment

is awarded and that this leads in the prison to prisoners complaining that they have been discriminated against in the sentence they have received and it leads to contempt, perhaps, for the impartiality of our justice. Would you agree with that statement?—A. I think the obvious disparity of sentence does cause a lot of hard feeling and heartburning on the part of the prisoner who thinks he has got more than he should have got.

Hon. Mr. ASELTINE: That is not confined to corporal punishment.

By Mrs. Shipley:

Q. That is the point, when corporal punishment is involved, is the resentment greater than if it is just a longer term?—A. I don't know that I can answer that. I don't recall having discussed the point. Your point is whether a man who gets a long term and another man for a similar offence gets a short term and corporal punishment?

Q. No, sir, I was not referring to that. It was the case where a man gets corporal punishment and a term, another man gets a term of imprisonment, the same number of years, but he does not get corporal punishment for having committed the same crime as someone else. I am concerned at the moment with the resentment with that corporal punishment rather than the different terms of years.—A. I really have not gone into that. I know there is resentment in regard to disparity in sentences but I have not run into that.

Q. You would go so far as to say that there is disparity of sentences in different sections and different courts?

Hon. Mr. GARSON: We have on record already the number of sentences of corporal punishment throughout Canada last year and the year before relatively the same number. Now, it did strike me that those statistics alone were a complete refutation of this complete theory about resentment.

The PRESIDING CHAIRMAN: There were seventeen.

Hon. Mr. GARSON: If there were only eight in the whole of Canada, in all the ten provinces, there is no real argument regarding any disparity as between judicial sentences and corporal punishment.

Mrs. SHIPLEY: I am glad you said that. I have not related those figures to that statement.

Hon. Mr. GARSON: There is a theory that a sense of injustice grows up. If there were 80 or 180 and they are well distributed in the provinces there would be some basis for that, but if there are only eight sentences in the whole Dominion of Canada, maybe one in each province, how could it be argued seriously that there is resentment?

By Mr. Winch:

Q. Just one more question, Mr. Chairman. I would like General Gibson to tell us in his opinion what chance there is of rehabilitating a person who has been sentenced after a judge gives him a sentence of corporal punishment one-half of which is to be administered after admission to the penitentiary and the balance just before he is released?—A. Under section 1060 of the Criminal Code the court has no authority to make that kind of sentence. A court can say the man be whipped once, twice or thrice, and the number of lashes, but the time of infliction is entirely within the jurisdiction of the penitentiary authorities and when that type of sentence has been handed out we have been authorized to ignore that and to inflict the corporal punishment in accordance with the statute and our policy is to get it over with as soon as reasonably possible in the early part of the sentence. It is a very difficult thing to have a sentence of corporal punishment hanging over a man's head in the last ten days when he is going out if you have any thought of reforming him.

By Mr. Brown (Brantford):

Q. I was going to ask General Gibson if he knows whether any records are kept of killings of penitentiary staff over recent years?—A. There has only been one since I took over my present position in 1946.

By Hon. Mr. McDonald:

Q. Mr. Chairman, we have a number of stealings involving banks. I have been wondering: Has corporal punishment been administered for that sort of offence?—A. I think at the present time that comes under section 446 of the Code. I have not the Code before me.

By Mr. Winch:

Q. Has not a man just got twenty lashes in Vancouver?—A. Yes, a man can be awarded lashes for a bank robbery.

By Hon. Mr. McDonald:

Q. Do you think it is a deterrent in that case?—A. Well, my view is it is not so much a deterrent as a long term of imprisonment.

Hon. Mr. ASELTINE: Does it do any harm?

Mr. BROWN (*Essex West*): To whom?

Hon. Mr. ASELTINE: Anybody.

The PRESIDING CHAIRMAN: Well, if there are no other questions, I want to thank you very much, General Gibson.

I want to direct the attention of the subcommittee to the fact that there is a meeting tomorrow morning at 10.00 a.m. in room 258 and also I would like to direct the Committee's attention to the two hearings next week. On Tuesday we have Mr. Virgil Peterson of the Chicago Crime Commission on lotteries and on Thursday the Police Chiefs' Association on capital and corporal punishment and lotteries.

APPENDIX

TABLE A--(COMMISSIONER OF PENITENTIARIES)--CORPORAL PUNISHMENT

Number of persons sentenced to penitentiaries, 1943-1954, who in addition were awarded Corporal Punishment under the Statutes, showing the Sections under which it was awarded.

Year	204	206	216	276	292	293	299	300	301	302	446	447	448	*O.N.D. Act, S.4 (1)	Total
1943.....	1	3						1	2	1	9		1		18
1944.....		2			2		1	1	2	1	8				17
1945.....							4	1	1	2	15				23
1946.....	3		1		5		3	1	2	1	37		1		54
1947.....	5	1			3		2	2	1	2	14		4	1	35
1948.....	4				1		8	4			27		1		45
1949.....	2	3			4		20	2		1	15		10		57
1950.....		1			1		1				12				15
1951.....	2	1			2		2				8				15
1952.....	1	1			1		6	3	1		7		3	6	29
1953.....	2				1		6	1			6		1	1	18
1954.....	2				1(e)		2								5

* *Opium and Narcotic Drugs Act.*

TABLE B—(COMMISSIONER OF PENITENTIARIES)—CORPORAL PUNISHMENT
Particulars of the Corporal punishment awarded by the Courts to those sentenced to Penitentiaries, 1943-1954.

Year	Number of Whippings	Maximum number of lashes	Minimum number of lashes	Average Sentence		Age of youngest offender	Number of offenders below 20	Number of first offenders	Number of sentences not executed	Reasons why lashes not inflicted
				Years	Lashes					
1943.....	17	20	3	4.5	9.5	nil	5	1	Heart condition.
1944.....	17	30	2	3.8	10.0	18	4	7	0	
1945.....	23	20	5	5.4	10.6	17	4	10	0	
1946.....	53	20	4	3.8	10.0	18	7	14	1	Poor physical condition; hernia.
1947.....	34	14	5	4.9	9.6	18	7	15	2	1. Poor physical condition; hernia. 2. Varicose veins and varicose ulcers.
1948.....	45	20	4	4.5	8.3	16	6	16	0	
1949.....	57	21	1	4.7	8.0	16	17	27	0	
1950.....	14	10	5	5.0	7.4	16	5	4	1	Mental condition; schizophrenia.
1951.....	15	20	4	7.8	9.3	nil	3	0	
1952.....	29	14	2	4.3	7.7	18	3	9	0	
1953.....	17	10	2	5.3	7.5	19	2	6	1	Imbecile.
1954.....	5	10	3	3.0	6.2	20	nil	4	0	

TABLE C—(COMMISSIONER OF PENITENTIARIES)—CORPORAL PUNISHMENT

CORPORAL PUNISHMENT AWARDED IN PENITENTIARIES FOR PRISON OFFENCES
BY FISCAL YEAR FROM 1932-1933 TO AND INCLUDING 1952-1954.

Fiscal Year	Number of Sentences Actually Administered	Maximum Number of Strokes Administered	Minimum Number of Strokes Administered	Number of Sentences Inflicted on Offenders Under 21	Number of Offenders Sentenced more than once
1932-1933.....	47	15	5	(?)	1
1933-1934.....	29	20	4	(?)	2
1934-1935.....	55	15	3	2	7
1935-1936.....	55	15	2	9	1
1936-1937.....	26	15	3	5	4
1937-1938.....	30	12	4	7	0
1938-1939.....	26	12	5	3	0
1939-1940.....	28	15	3	3	1
1940-1941.....	47	15	4	10	4
1941-1942.....	30	15	5	11	2
1942-1943.....	27	15	5	8	3
1943-1944.....	29	15	5	8	3
1944-1945.....	67	12	3	13	8
1945-1946.....	65	15	5	8	2
1946-1947.....	43	15	5	5	2
1947-1948.....	28	15	5	12	3
1948-1949.....	66	15	2	14	8
1949-1950.....	33	10	3	3	1
1950-1951.....	8	12	7	1	0
1951-1952.....	7	12	2	0	0
1952-1953.....	23	10	5	7	2
1953-1954.....	26	10	5	13	2